

REMARKS

In the Final Office Action mailed on July 27, 2006, the Examiner allowed claims 2-20 and rejected claims 21-31. In particular, claims 21-30 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,119,098 to *Guyot et al.* in view of U.S. Patent No. 6,850,252 to *Hoffberg*.

Applicants file herewith a Request for Continued Examination under 37 C.F.R. § 1.114. Applicants have amended claims 21 and 24-26. Thus, claims 2-31 remain pending.

Section 103 Rejections of Claims 21-30

Claims 21-30 were rejected under 35 U.S.C. § 103(a) as being obvious over *Guyot et al.* in view of *Hoffberg*. To establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), the references, taken alone or combined, must teach or suggest each and every element recited in the claims. M.P.E.P. § 2143.03 (8th ed. 2001, revised August 2005). Because amended claims 21-30 recite several elements that are neither taught nor suggested by *Guyot et al.* and *Hoffberg*, taken individually or in combination, Applicants respectfully request the reconsideration and withdrawal of the section 103 rejections of claims 21-30.

Claim 21, as amended, recites a computer-implemented method for selecting Internet advertisements for presentation comprising, among other things, using long-term attributes and short-term attributes to compute a click probability estimate representing a likelihood that a customer will respond to the Internet advertisement, determining an uncertainty of the click probability estimate based at least in part on a

number of times the Internet advertisement has been previously presented, and after the Internet advertisement has been presented to the customer, adjusting the uncertainty of the click probability estimate. *Guyot et al.* and *Hoffberg*, taken alone or together, fail to teach or suggest the subject matter defined by claim 21 including, for example, this combination of claim elements.

The Examiner has acknowledged that *Guyot et al.* does not disclose determining an uncertainty of the click probability estimate based at least in part on a number of times the Internet advertisement has been previously presented. (Final Office Action, p. 4.) Thus, *Guyot et al.* also does not disclose adjusting the uncertainty of the click probability estimate, after the Internet advertisement has been presented to the customer. In the Final Office Action, the Examiner argued that *Hoffberg* discloses “determining a conditional probability of a subsequent action by the user, which is drawn to the uncertainty of the click probability.” (Final Office Action, p. 4).

Applicants maintain that *Hoffberg*, taken alone or in combination with *Guyot et al.*, does not teach determining **an uncertainty of the click probability estimate based at least in part on a number of times the Internet advertisement has been previously presented**. Even if the “conditional probability” described in *Guyot et al.* does teach an uncertainty of a click probability estimate (which Applicants do not admit), there is no teaching or suggestion that the “conditional probability” of the reference is based at least in part on a number of times the Internet advertisement has been previously presented. Instead, the reference merely states that “a conditional probability of a subsequent action by the user may be assessed for each interaction,

and that, on the basis of that probability, an economic parameter may be altered.”
(*Hoffberg*, col. 44, ll. 37-38.) The reference continues by explaining that “[t]his probability may then be used to calculate an advertiser charge for delivery of an advertisement, or to prioritize the advertisements sent to the user...” (*Id.*, col. 44, ll. 43-46.)

Furthermore, there is no teaching or suggestion in *Hoffberg* of **adjusting the uncertainty of the click probability estimate** after the Internet advertisement has been presented to the customer. As the reference explains, the “conditional probability” is used to calculate an advertiser charge, prioritize the advertisements sent to the user, or to adapt information subsequently presented to the user. (*Hoffberg*, col. 44, ll. 43-50.) There is no teaching or suggestion of updating the “conditional probability” of the reference.

Thus, *Guyot et al.* and *Hoffberg*, considered individually or in combination, do not teach or suggest all of the elements of amended claim 21 and Applicants request the withdrawal of the section 103 rejection of claim 21 and its dependent claims 22-24.

Claim 25, as amended, recites a computer-implemented method for optimizing Internet advertising selection comprising, among other things, “establishing an advertisement profile for each of a plurality of advertisements, each advertisement profile including an expected revenue based on potential placement of the corresponding advertisement and a measure of uncertainty based at least in part on a number of times the corresponding advertisement has been placed.” Amended claim

25 further recites, “after a selected advertisement has been presented to the customer, reducing the measure of uncertainty corresponding to the selected advertisement.”

Guyot et al. and *Hoffberg*, taken alone or together, fail to teach or suggest such a combination of elements.

The Examiner has acknowledged that *Guyot et al.* does not disclose an advertisement profile including an expected revenue based on potential placement of the corresponding advertisement and a measure of uncertainty based at least in part on a number of times the corresponding advertisement has been placed. (Final Office Action, p. 6.) Thus, *Guyot et al.* also does not disclose, after a selected advertisement has been presented to the customer, reducing the measure of uncertainty corresponding to the selected advertisement. In the Final Office Action, the Examiner argued that *Hoffberg* discloses “determining a conditional probability of a subsequent action by the user, which is drawn to the uncertainty of the click probability.” (Final Office Action, p. 6).

Applicants maintain that *Hoffberg*, taken alone or in combination with *Guyot et al.*, does not teach an advertisement profile including an expected revenue based on potential placement of the corresponding advertisement and **a measure of uncertainty based at least in part on a number of times the corresponding advertisement has been placed**. Even if the “conditional probability” described in *Guyot et al.* does teach a measure of uncertainty (which Applicants do not admit), there is no teaching or suggestion that the “conditional probability” of the reference is based at least in part on a number of times the corresponding advertisement has been placed. Instead, the

reference merely states that “a conditional probability of a subsequent action by the user may be assessed for each interaction, and that, on the basis of that probability, an economic parameter may be altered.” (*Hoffberg*, col. 44, ll. 37-38.) The reference continues by explaining that “[t]his probability may then be used to calculate an advertiser charge for delivery of an advertisement, or to prioritize the advertisements sent to the user....” (*Id.*, col. 44, ll. 43-46.)

Furthermore, there is no teaching or suggestion in *Hoffberg* of, after a selected advertisement has been presented to the customer, **reducing the measure of uncertainty corresponding to the selected advertisement**. As the reference explains, the “conditional probability” is used to calculate an advertiser charge, prioritize the advertisements sent to the user, or to adapt information subsequently presented to the user. (*Hoffberg*, col. 44, ll. 43-50.) There is no teaching or suggestion of reducing the “conditional probability” of the reference.

Thus, *Guyot et al.* and *Hoffberg*, considered individually or in combination, do not teach or suggest all of the elements of amended claim 25 and Applicants request the withdrawal of the section 103 rejection of claim 25 and its dependent claims 26-30.


In view of the foregoing amendments and remarks, Applicants respectfully request the reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 25, 2007

By: 
Erika H. Arner
Reg. No. 57,540